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2008 OCT 29 AM 9:33

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY KW
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

In re DELL INC. ERISA LITIGATION

Case No. A-06-CA-758-SS

THIS DOCUMENT RELATES TO:
ALL ACTIONS

ORDER OF DISMISSAL

BE IT REMEMBERED on this the 28th day of October 2008 there was presented to the Court the parties' Stipulation of Dismissal, pursuant to which the Court enters the following orders:

IT IS ORDERED that this lawsuit is hereby DISMISSED with prejudice as to each individual plaintiff, although the dismissal of this lawsuit with prejudice is not intended to be, nor is it, binding on any other member of the uncertified class on whose behalf plaintiffs brought this action;

IT IS FURTHER ORDERED that all pending motions in this cause are overruled and denied as they are now moot.

SO ORDERED.

SIGNED this 28th day of October, 2008.

Sam Sparks

HON. SAM SPARKS
UNITED STATES DISTRICT JUDGE
WESTERN DISTRICT OF TEXAS

AGREED TO:

/s/Lynn Lincoln Sarko (w/permission)

Lynn Lincoln Sarko
Derek W. Loeser
Erin M. Riley
Raymond J. Farrow
KELLER ROHRBACK L.L.P.
1201 Third Avenue, Suite 3200
Seattle, Washington 98101-3052
Telephone: (206) 623-1900
Facsimile: (206) 623-3384

Robert A. Izard
Mark P. Kindall
IZARD NOBEL LLP
20 Church Street, Suite 1700
Hartford, CT 06103
Telephone: (860) 493-6292
Facsimile: (860) 493-6290

CO-LEAD COUNSEL FOR PLAINTIFFS
ANDRE BOWEN, DAVID NORMAN,
ENRIQUE RANGEL, JR. AND
GERALD S. LEE

Thomas H. Watkins
Albert A. Carrion, Jr.
BROWN MCCARROLL, L.L.P.
111 Congress Avenue, Suite 1400
Austin, Texas 78701
Telephone: (512) 472-5456
Facsimile: (512) 480-5033

LIAISON COUNSEL FOR PLAINTIFFS
ANDRE BOWEN, DAVID NORMAN,
ENRIQUE RANGEL, JR. AND
GERALD S. LEE

/s/ Michael L. Davitt

Brian S. Greig (bgreig@fulbright.com)

Peter A. Stokes (pstokes@fulbright.com)

FULBRIGHT & JAWORSKI L.L.P.

600 Congress Avenue, Suite 2400

Austin, Texas 78701-3271

Telephone: (512) 474-5201

Facsimile: (512) 536-4598

Patricia J. Villareal (pjvillareal@jonesday.com)

Thomas R. Jackson (trjackson@jonesday.com)

Greg L. Weselka (gweselka@jonesday.com)

Michael L. Davitt (mldavitt@jonesday.com)

JONES DAY

2727 North Harwood Street

Dallas, Texas 75201

(214) 220-3939 – Telephone

(214) 969-5100 – Facsimile

James P. Baker (jpbaker@jonesday.com)

JONES DAY

555 California Street, 26th Floor

San Francisco, California 94104

(415) 626-3939 – Telephone

(415) 875-5700 – Facsimile

COUNSEL FOR DEFENDANTS